

## Regulations

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Copies of the New Jersey regulations for food establishments are available free of charge from the Food and Drug Safety Program.

You may request copies of the regulations by calling the Food and Drug Safety Program at (609)826-4935. An electronic copy may be found at the FDSP website: <http://nj.gov/health/foodanddrugsafety>

The regulations most often used include:

- N.J.A.C. 8:21-9.1-9.7: Rules Governing the Licensing of Food and Cosmetic Manufacturing and Wholesale Establishments
- N.J.A.C. 8:21-13.1-13.12: Rules Governing Wholesale Food Establishments
- N.J.A.C. 8:21-5.1-5.19: Manufacturing, Storage, Distribution and Handling Standards for Bottled Water
- N.J.A.C. 8:21-10.1-10.23: Designated Fluid Milk Products
- N.J.A.C. 8:13-1.1-2.27: Shellfish
- N.J.A.C. 8:21-7.1-7.38: Frozen Desserts

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For assistance about regulations, licensure, and inspection of a wholesale food business, please contact:

Food and Drug Safety Program  
Consumer and Environmental Health Services  
New Jersey Department of Health and Senior Services  
P.O. Box 369  
Trenton, NJ 08625-0369

Phone: (609)826-4935  
Fax: (609)826-4990  
Web: <http://nj.gov/health/foodanddrugsafety>

## Resources

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New Jersey Wholesale Food License Applications  
<http://nj.gov/health/foodanddrugsafety>

Rutgers University Department of Food Science  
<http://foodsci.rutgers.edu>

Cornell University Institute of Food Science  
<http://www.nysaes.cornell.edu/cifs>

Rutgers University Food Innovation Center  
<http://www.foodinnovation.rutgers.edu>

U.S. Food and Drug Administration  
<http://www.fda.gov>

U.S. Department of Agriculture  
<http://www.fsis.usda.gov>

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### **Note: This brochure is only a guide.**

Since regulations, licensing requirements, inspection standards and labeling requirements are amended from time to time, it is the responsibility of licensees to know and abide by all current regulations, licensing requirements, inspection standards, and labeling requirements. Always consult official local, state and federal regulatory agencies to ensure your business is in full compliance.



## Starting a Wholesale Food Business In New Jersey

- Licensing
- Regulations
- Inspections
- Labeling

Food and Drug Safety Program  
Consumer and Environmental Health Services  
New Jersey Department of Health and Senior Services

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## Your Wholesale Food Business

The New Jersey Department of Health and Senior Services' Food and Drug Safety Program has prepared this guide to help you comply with New Jersey and federal requirements in order to start a wholesale food business. For additional information, please refer to the resources listed on the back panel.

A wholesale food business sells products to other businesses; it does not sell products directly to the consumer.

The New Jersey Department of Health and Senior Services' Food and Drug Safety Program regulates and inspects wholesale food businesses in the State of New Jersey.

These businesses include:

- Food Processing
- Food Warehouses
- Food Distribution Centers
- Bottling of Water and Non-Alcoholic Beverages
- Seafood (including seafood transport)
- Refrigerated Warehouses
- Milk Pasteurization
- Dairy Products, e.g. cheese and ice cream

**Note:** Businesses engaged solely in the processing and/or distribution of meat products are regulated by the U.S. Department of Agriculture. Visit the USDA website (<http://www.fsis.usda.gov>) for more information.

A wholesale food business in New Jersey must be conducted in a commercial establishment. In New Jersey, it is prohibited to conduct a wholesale food business in a private home or residential area.

## Retail Food Businesses

Retail food businesses — such as restaurants, food stores, mobile food units, catering operations, farmers' markets, online sales, and temporary food events — are inspected and licensed by the local/municipal health department.

For more information, contact your local health department. Visit the Office of Public Health Infrastructure online (<http://www.state.nj.us/health/lh/>) and click on the map for a roster of local health offices and contact information.

## Licensing and Inspections

**In New Jersey, all wholesale food businesses must possess a license to operate.**

Applications to operate wholesale Food, Seafood, Milk, Frozen Desserts, Bottled Water, Refrigerated Warehouse, and Non-Alcoholic Beverage establishments may be found online at the Food and Drug Safety Program website (<http://nj.gov/health/foodanddrugsafety>) under the header "Description of Activities."

You may also call the Food and Drug Safety Program at (609)826-4935 to request an application via mail, e-mail or fax.

In New Jersey, a wholesale food business is permitted to operate as soon as the license application and fee are received by the Food and Drug Safety Program.

After the license application and fee are received by the Food and Drug Safety Program, the application is processed and forwarded to an inspector, who will visit the facility and conduct an inspection. The facility is expected to be in full operation at the time of inspection.

A License to Operate a Food/Cosmetic Establishment will be issued if and when the facility is rated "Satisfactory" by the inspector.

The inspection determines whether the food business complies with all food sanitation regulations, including the standards listed in the New Jersey regulation: N.J.A.C. 8:21-2.1 et. seq.

Some of the standards include:

- Plant Construction and Design
- Water Supply and Plumbing
- Employee Health and Hygiene
- Maintenance of Equipment and utensils
- Control Programs for Monitoring the Safe Handling of Food
- Temperature Controls
- Sanitation and Cleaning Operations
- Product Labeling
- Cleanliness and Maintenance of the Grounds and Indoor Area

## HACCP and Specialized Plans

HACCP (Hazard Analysis Critical Control Point) Plans are required for seafood and juice processors. HACCP Plans, when required by regulation, are necessary for licensure. Low-acid canned food and acidified food processors also must register and file a scheduled process with the FDA.

If you are unsure whether your processing operation requires a HACCP Plan or scheduled process, please review the regulations and contact the Food and Drug Safety Program prior to inspection at (609)826-4935.

## Shellfish

In New Jersey, a wholesale food business that is harvesting, shipping, reshipping, shucking or repacking raw molluscan shellfish must obtain both a Wholesale Food/Cosmetic license and a Shellfish Certification. Raw molluscan shellfish include clams, oysters, mussels and whole scallops that are shipped in both intrastate and interstate commerce. There is no fee for the Shellfish Certification; however, there is a fee for the Food/Cosmetic license.

## Labeling

All packaged foods must be labeled in accordance with federal and New Jersey labeling regulations.

The New Jersey Food and Drug Safety Program has prepared a guide to help you develop a food label that complies with federal and New Jersey labeling requirements.

A copy of the brochure, *Parts of a Food Label*, is posted on the Food and Drug Safety website (<http://nj.gov/health/foodanddrugsafety>).

## FDA Bioterrorism Act

The FDA Bioterrorism Act requires that all domestic and foreign facilities that manufacture, process, pack or hold food for human or animal consumption register with the FDA. Visit the FDA website (<http://www.fda.gov>) and click on "Registration of Food Facilities" for more information.